

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ASPENDOS E.N.E.,

Plaintiff,

v.

BUNGE S.A., et al.

Defendant

and Garnishees.

15 CV 15-6237

ECF Case

**IN ADMIRALTY**

**MEMORANDUM SUPPORTING  
MOTION FOR ORDER FOR ISSUE OF  
PROCESS OF MARITIME  
ATTACHMENT AND GARNISHMENT**

Plaintiff Aspendos E.N.E. (“Aspendos”) has moved pursuant to Supplemental Rule B of the Federal Rules of Civil Procedure for this Court to issue process of maritime attachment and garnishment for property of Defendant Bunge S.A. (“Bunge”) held or controlled by garnishees in this District.

This Court should grant the motion. The motion is based on the Verified Complaint, filed herewith. In the Verified Complaint, Plaintiff alleges that Bunge has failed to pay its contractually apportioned share of a claims dispute settlement related to Bunge’s charter of Plaintiff’s vessel, the M/V ASPENDOS. The total amount due and owing is \$117,000.00.

On information and belief, Bunge is or will be owed money by each of the Garnishees. Each of the Garnishees operates in this District, has its principal place of business in this District, or has an agent appointed for service of process in this District.

Defendant Bunge cannot be found within this District pursuant to Rule B, and this Court therefore should issue an Order directing the Clerk of Court to issue Process of Maritime Attachment and Garnishment pursuant to Rule B attaching all of Bunge’s tangible or intangible property or any other funds held by garnishee and on behalf Bunge, up to the amount of at least the amount demanded in the complaint to secure Plaintiff’s claim, and that all persons claiming



any interest in the same be cited to appear and, pursuant to Rule B, answer the matters alleged in the Verified Complaint.

WHEREFORE, Aspendos respectfully requests this Court grant its motion.

Dated: August 7, 2015.

/s/ J. Stephen Simms

J. Stephen Simms

(*pro hac vice* application to be filed)

Marios J. Monopolis

(*pro hac vice* application to be filed)

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